| 1<br>2<br>3<br>4<br>5                             | DAVID E. ROSEN (S.B. #155385)<br>MURPHY ROSEN & COHEN LLP<br>100 Wilshire Boulevard, Suite 1300<br>Santa Monica, California 90401-1142<br>Telephone: (310) 899-3300<br>Facsimile: (310) 399-7201<br>Attorneys for Plaintiff<br>SPACE SYSTEMS/LORAL, INC. |   |
|---|--|---|
| <ul><li>6</li><li>7</li><li>8</li><li>9</li></ul> | GEORGE A. RILEY (S.B. #118304)<br>O'MELVENY & MYERS LLP<br>Embarcadero Center West<br>275 Battery Street, 26 <sup>th</sup> Floor<br>San Francisco, California 94111-3305<br>Telephone: (415) 984-8700<br>Facsimile: (415) 984-8701                       |   |
| 10<br>11<br>12<br>13                              | MARK C. SCARSI (S.B. #183926)<br>RYAN K. YAGURA (S.B. #197619)<br>O'MELVENY & MYERS LLP<br>400 South Hope Street<br>Los Angeles, California 90071-2899<br>Telephone: (213) 430-6000<br>Facsimile: (213) 430-6407   |   |
| 14<br>15<br>16                                    | Attorneys for Defendant LOCKHEED MARTIN CORPORATION  |   |
|   | UNITED STATES DISTRICT COURT   |   |
| 17  | NORTHERN DISTRICT OF CALIFORNIA  |   |
| 18  | SAN FRANCISCO DIVISION   |   |
| 19<br>20  | SPACE SYSTEMS/LORAL, INC.,   | Case No. C-96-3418 SI                                   |
| 21  | Plaintiff,   | JOINT STIPULATION AND [PROPOSED] ORDER THEREON          |
| 22  | v.   | CONTINUING CASE MANAGEMENT<br>CONFERENCE                |
| 23  | LOCKHEED MARTIN<br>CORPORATION,  | Trial Date: none set                                    |
| 24  | CORTORATION,   | Old CMC Date: March 3, 2006<br>New Date: March 31, 2006 |
| 25  | Defendant.   | Time: 2:30 p.m. Place: Courtroom 10                     |
| 26  |  | Judge: Hon. Susan Illston                               |
| 27  |  |   |
| 28  |  |   |
|   |  |   |

| 1  | JOINT STIPULA  | ATION AND ORDER                                     |  |
|----|--|---|--|
| 2  | WHEREAS on February 3-2  | 2006 the Court heard argument on Lockheed           |  |
| 3  | -  | Iotion for Reconsideration of the Court's Claim     |  |
| 4  | Construction;  | iotion for Reconstactation of the Court's Clarin    |  |
| 5  | Construction,  |   |  |
| 6  | WHEREAS, after the hearing   | Space Systems/Loral, Inc. (SSL) and                 |  |
| 7  | Lockheed Martin submitted supplemental briefing on Lockheed Martin's Motion;   |   |  |
| 8  | WHEDEAG A G A  |   |  |
| 9  | WHEREAS, the Court has not yet ruled on Lockheed Martin's Motion; and  |   |  |
| 10 | WHEREAS, the parties believe that the Court's ruling will inform their   |   |  |
| 11 | views on how the case should proceed.  |   |  |
| 12 |  |   |  |
| 13 | Lockheed Martin and SSL have agreed, and hereby so STIPULATE and   |   |  |
| 14 | request, that the Case Management Conference currently scheduled for March 3, 2006 be  |   |  |
| 15 | continued until March 31, 2006 so that the parties may have the benefit of the Court's Claim Construction order prior to the Case Management Conference. |   |  |
| 16 |  |   |  |
| 17 | Dated: February 28, 2006   |   |  |
| 18 |  |   |  |
| 19 | DAVID E. ROSEN<br>MURPHY ROSEN & COHEN LLP   | GEORGE A. RILEY<br>MARK C. SCARSI                   |  |
| 20 | 11011111110021(00 001121(221   | RYAN K. YAGURA<br>O'MELVENY & MYERS LLP             |  |
| 21 |  |   |  |
| 22 | By: //s// David E. Rosen   | By: //s// Mark C. Scarsi                            |  |
| 23 | David E. Rosen   | Mark C. Scarsi                                      |  |
| 24 | Attorneys for Plaintiff  | Attorneys for Defendant LOCKHEED MARTIN CORPORATION |  |
| 25 | SPACE SYSTEMS/LORAL, INC.  | LOCKHEED MAKTIN CORFORATION                         |  |
| 26 |  |   |  |
| 27 |  |   |  |
| 28 |  |   |  |
|    |  | IOINT STIDLIL ATION AND IDDODOSEDLODDED             |  |

## PURSUANT TO STIPULATION, IT IS SO ORDERED: 1. The Case Management Conference set for March 3, 2006 is taken off calendar; 2. The Court will hold a Case Management Conference in this Case on March 31, 2006 at 2:30 p.m. Dated: February \_\_\_\_\_, 2006. aran Maton SUSAN ILLSTON United States District Judge